

**MINUTES**

**OF THE**

**NATURAL RESOURCE COMMISSION**

**MEETING**

**JANUARY 17, 2007**

**WALLACE STATE OFFICE BUILDING**  
**DES MOINES, IOWA**

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## MEETING MINUTES

### CALL TO ORDER

The meeting of the Natural Resource Commission was called to order by Secretary, Elizabeth Garst at 9:15 a.m. on Wednesday, January 17, 2006, in the Wallace State Office Building, Des Moines, Iowa.

### MEMBERS PRESENT

Carol Kramer  
Richard Kim Francisco  
Lennis Moore  
Janice Marcantonio  
Elizabeth Garst

### MEMBERS ABSENT

Joan Schneider  
Randy Duncan

### APPROVE AGENDA

*Motion was made by Commissioner Kramer to approve the January 17, 2006 NRC agenda. Seconded by Commissioner Francisco. Motion carried unanimously.*

**AGENDA APPROVED**

### APPROVE MINUTES

*Motion was made by Commissioner Francisco to approve the minutes of the December 14, 2006 NRC meeting. Seconded by Commissioner Moore. Motion carried unanimously.*

**MINUTES APPROVED**

### CONSTRUCTION PROJECTS

Basil Nimry, Bureau Chief, Engineering and Realty Services, presented the following items.

Bids were opened January 8, 2007 for the following project:

**Viking Lake, Montgomery Co. – Jetties and Fish Habitat**

This project consists of modifying two existing jetties and constructing four new jetties, one stone surfaced earth mound within the lake, several pea gravel stone spawning areas, and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted 65% in Federal Dingle-Johnson, 21% Fish and Wildlife Trust and 14% in Lake Restoration funds (see Capital Link item #21 and #108). DNR estimate is \$143,000. Eighteen sets of Plans were issued. Seven bids were received.

Jeff Sickels, dba Sickels Dozing	Mount Ayr, IA	\$132,340.05
TEK Builders, Inc.	Mount Ayr, IA	\$144,406.70
Carley Construction, L.L.C.	Treynor, IA	\$148,779.50
Andrew Const. Co. II, Inc.	Osceola, IA	\$152,721.25
C. L. Carroll, Inc.	Des Moines, IA	\$174,988.00
Gus Construction Co., Inc.	Casey, IA	\$177,404.35
Lessard Contracting, Inc.	Sergeant Bluff, IA	\$180,370.35

Staff recommends award of contract with alternate to Jeff Sickels, dba Jeff Sickels Dozing, low bidder.

Interviews were held January 4, 2006 for the following project:

**Waubonsie State Park/WaShawtee Camp Fremont Co. – Engineering Services for Roadway Design**

A Notice of Intent was issued for qualified engineering consultants and a short-list developed from those firms who respond. Those short-listed firms were provided additional information and requested to submit proposals for this work with special consideration for design experience in paving, drainage, and earthwork associated with Loess soils.

The selected consultant shall provide a comprehensive survey, engineering and design for the parking areas, and widening and concrete paving of the roads at WaShawtee Camp, adjacent to Waubonsie State Park. There are approximately 1.6 miles of existing 14foot wide roadways to be regraded with new culverts to accommodate shoulders and paving of various widths. There is approximately 0.5 mile of new roadway construction needed to connect Waubonsie State Park to the WaShawtee Camp. The design needs to be completed for a Spring 2007 letting with completion in Fall 2007. Construction documents, including a specifications manual for construction, will be prepared for bid letting by the selected firm.

This project is budgeted 100% in Parks and Institutional Roads funds (see Capital Link item #84). Thirteen firms responded to the Notice of Interest. The firms interviewed on January 4, 2007 were:

HGM Associates, Inc.	Council Bluffs, IA
Schemmer Associates, Inc.	Council Bluffs, IA
Snyder and Associates, Inc.	Council Bluffs, IA.

Staff recommends award of professional services contract to HGM Associates, Inc. for a negotiated fee not to exceed \$123,500.

*Motion was made by Commissioner Kramer to approve the low bid of Jeff Sickels, dba Sickels Dozing of Mount Ayr, Iowa in the amount of \$132,340.05 for jetties and fish habitat construction at Viking Lake in Montgomery County and to award a professional services contract to HGM Associates, Inc. for a negotiated fee not to exceed \$123,500 for engineering services for roadway design at Waubonsie State Park/WaShawtee Camp in Fremont County. Seconded by Commissioner Francisco. Motion carried unanimously.*

**CONSTRUCTION PROJECT APPROVED**  
**CONTRACT APPROVED**

## **LAND ACQUISITION**

Basil Nimry, Bureau Chief, Engineering and Realty Services Bureau, presented the following item.

### **Trout Run Creek, Winneshiek County--Holland**

The Natural Resource Commission's approval is requested to purchase a parcel of land located in Winneshiek County. The property is adjacent to the south side of the DNR owned Trout Run Creek Area and north of the Decorah Fish Hatchery. Marilyn Holland offers the 30-acre parcel for the appraised value of \$113,000.

Mark Tressel, Licensed Appraiser of Dubuque, Iowa, submitted the appraisal. Travis Baker negotiated the purchase agreement.

This property is partly located within the south corporate limits of Decorah, in central Winneshiek County, Iowa. Trout Run Creek, a put-and-take trout fishery, bisects the property dividing it into two nearly equal parts. State Highway #9 is less than one-half mile north of the property. The placement of a recreational trail, through this property and along Trout Run Creek, is proposed.

This acquisition will become part of the 73 acre Trout Run Creek Area and will be managed by the Conservation and Recreation Division in accord with the area management plan.

Funding used for this acquisition will be 75% Federal Sport Fish Restoration and 25% Fish Habitat Stamp. Fencing and incidental closing costs will be the responsibility of the Department.

*Motion was made by Commissioner Moore to approve the purchase of a 30-acre parcel of land adjacent to Trout Run Creek area in Winneshiek County from Marilyn Holland for the appraised price of \$113,000. Seconded by Commissioner Marcantonio. Motion carried unanimously.*

**LAND ACQUISITION APPROVED**

**Sedan Bottoms Wildlife Management Area, Appanoose County--Appler**

The Natural Resource Commission's approval is requested to purchase a parcel of land located in Appanoose County. The property is adjacent to the east side of the DNR owned Sedan Bottoms Wildlife Management Area. John Appler offers the 33-acre parcel for the appraised price of \$32,000.

Rob Wobeter, Licensed Appraiser of Toledo, Iowa, submitted the appraisal. Travis Baker negotiated the purchase agreement.

This property is located in southeastern Appanoose County, Iowa. The county seat of Centerville is about 12 miles northwest of the property. The topography is nearly level and frequently flooded by the Chariton River. The average Corn Suitability Rating is 50. The property will become encumbered by a Wetland Reserve Program easement prior to DNR ownership. This property would provide additional wetland habitat as well as deer, turkey, and pheasant hunting opportunities.

This acquisition will become part of the 5,085 acre Sedan Bottoms Wildlife Management Area and will be managed by the Conservation and Recreation Division in accord with the area management plan.

Funding used for this acquisition will be the wildlife habitat stamp. Appanoose County will continue to receive property tax payments on this parcel. Incidental closing costs will be the responsibility of the Department.

*Motion was made by Commissioner Francisco to approve the purchase of a 33 acre parcel of land adjacent to the Sedan Bottoms Wildlife Management Area in Appanoose County from John Appler for the appraised price of \$32,000. Seconded by Commissioner Moore. Motion carried unanimously.*

**LAND ACQUISITION APPROVED**

**AGREEMENT WITH THE HUNGRY CANYONS ALLIANCE**

Kenneth Herring, Administrator, Conservation and Recreation Division, presented the following item.

Approval is requested for the Department of Natural Resources to enter into an Agreement with the Hungry Canyons Alliance (Alliance) so it can receive \$26,000 in Fish Habitat funds (Fish and Wildlife Trust Fund). This funding shall be used as cost share dollars for a \$130,000 Congressional appropriation and is listed in the Fisheries Bureau fiscal 2007 budget.

Channel erosion in western Iowa streams is a major threat to public and private infrastructure and it is estimated to have caused more than \$1.1 billion in damages. In 1992, Hungry Canyons Alliance, a non-profit corporation, representing 22 counties was formed to research and



implement solutions to control stream channel erosion in the deep loess soils region of western Iowa. Weir structures were found to be the most effective in stopping channel erosion. However weirs designed and constructed before 1995 prevented upstream fish passage.

In 1995, the DNR partnered with the Alliance and designed a weir that effectively stops channel erosion and allows fish passage. The DNR continues to strengthen its partnership with the Alliance with a funding commitment to match a Congressional appropriation to modify existing weir structures that prevent fish movement. In this partnership Fisheries Bureau staff works closely with the Alliance to select projects that have the most benefit to stream fisheries. The Fisheries Bureau and the Alliance has selected a weir on West Fork Little Sioux River, Woodbury County to receive Fish Habitat funding.

We recommend that the Department enter into a contract agreement with the Hungry Canyons Alliance to modify the West Fork Little Sioux River weir.

*Motion was made by Commissioner Francisco to enter into a contract agreement with the Hungry Canyons Alliance so it can receive \$26,000 in Fish Habitat funds to modify the West Fork Little Sioux River weir. Seconded by Commissioner Kramer. Motion carried unanimously.*

**AGREEMENT APPROVED**

## **TIMBER SALES**

Kenneth Herring, Administrator, Conservation and Recreation Division, presented the following item.

### **Cardinal Marsh Wildlife Area, Winneshiek County**

The Wildlife Bureau is conducting a timber sale involving approximately 16 acres involving 533 trees (43,150 board feet (Scribner)) located on the Cardinal Marsh Wildlife Area. The trees are located Sections 6, 7 & 8, Lincoln Township, T98N, R10W, in Winneshiek County. Trees are marked with orange paint.

This is a scheduled harvest of primarily of mature walnut, maple, and oak. The goal for this site is to regenerate oak and create early successional species. The 16 acre harvest is divided into 2 separate clearcut areas of 3 and 10 acres at the forest edges. These areas will be planted to oak after the harvest. The harvest will create early successional habitat which is lacking in the area.

This proposed sale was visited by Mark Leoschke, DNR Wildlife Bureau. There was no indication that any endangered plant or animal species are in this area. Additionally, no evidence of archeological resources was noticed when the area was marked for harvest in October 2006. The area is far north of the accepted Indiana bat region.

Harvesting will only be allowed when the ground is firm or frozen. Steep slopes will not be harvested. No harvesting will be allowed from December 1-22<sup>nd</sup>, due to shotgun deer season, or between April 1 though August 31<sup>st</sup> due to migratory bird nesting season. Access is through State-owned land.

Sealed bids were received until 1:30 PM., Friday, December 15, 2006, at which time bids were opened.

The bids were as follows:

<b><u>TIMBER BUYER</u></b>	<b><u>BID AMOUNT</u></b>
Ed Bruggeman, Sitco	\$31,161.00
Charles Downs	30,831.00
Belden Logging	26,585.00
Jim Sheehan, Hawkeye	24,100.00
Gordon Norton	22,900.00
Todd Jones	17,609.00
Chuck Schmitt, Webster	16,731.00

Staff recommends that the Commission accept of the bid from Ed Bruggeman, Sitco. Sitco must execute a timber sale contract with the State of Iowa by January 31, 2007, and make payment at that time. Trees must be removed with 18 months of signing the contract. Liability insurance is required. Buyers must be bonded.

<b>Species</b>	<b># of trees</b>	<b>Ave. Bd.Ft/tree</b>	<b>Est. Bd.Ft.</b>
Red, Black oak	123	126	15,770
White, Bur oak	104	96	9,990
White elm	9	84	760
Red elm	8	104	830
Basswood	10	146	1,460
Hard maple	9	214	1,930
Black cherry	2	110	220
Black walnut	87	125	10,890
Hackberry	3	60	180
Cottonwood, aspen	8	140	1,120
Culls	168		
<b>Totals</b>	<b>533</b>		<b>43,150</b>

*Motion was made by Commissioner Marcantonio to accept of the bid of \$31,161.00 from Ed Bruggeman, Sitco for a timber sale involving approximately 16 acres and 533 trees located on the Cardinal Marsh Wildlife Area in Winneshiek County. Seconded by Commissioner Moore. Motion carried unanimously.*

**TIMBER SALE APPROVED**

**Sny Magill, North Cedar Wildlife Area, Clayton County**

The Wildlife Bureau is conducting a timber sale involving approximately 17 acres involving 246 trees (30,100 board feet (Scribner)) located on the Syn Magill, North Cedar Wildlife Area. The trees are located Sections 15, Clayton Township, T94N, R3W, in Clayton County. Trees are marked with blue paint.

The goal for this 17-acre site is to remove diseased, storm damaged and defective trees. The harvest will salvage trees that are deteriorating and improve wildlife habitat on the forest floor. The tops from harvested trees and increased understory growth resulting from additional light will improve the wildlife habitat on the area. The harvest is in accordance with the Forest Wildlife Stewardship Plan written and approved February, 2006.

This proposed sale was checked Mark Leoschke, DNR Wildlife Bureau Plant Ecologist and Wildlife Diversity Specialist, Doug Harr. There was no indication that any endangered plant or animal species are in this area. No archeological sites are suspected and none were noted while on site. The area is far north of the accepted Indiana bat region.

Harvesting will only be allowed when the ground is firm, dry or frozen. Steep slopes will not be harvested. No harvesting will be allowed from December 1-22<sup>nd</sup>, due to shotgun deer season, or between April 1 though August 31<sup>st</sup>. Access is through State-owned land.

Sealed bids were received until 1:30 PM., Friday, December 15, 2006, at which time bids were opened and the sale was awarded to the highest bidder.

The bids were as follows:

<b><u>TIMBER BUYER</u></b>	<b><u>BID AMOUNT</u></b>
Todd Jones	\$11,455.00
Belden Logging	10,720.00
Charles Downs	10,611.00
Jim West, Kendrick	10,000.00
Chuck Schmitt, Webster	8,387.20

The bid from Todd Jones, Jones Wood Heating, was accepted for \$11,455.00. Jones Wood Heating must execute a timber sale contract with the State of Iowa by January 15, 2007, and make payment at that time. Trees must be removed with 18 months of signing the contract. Liability insurance is required. Buyers must be bonded.

<b>SPECIES</b>	<b># OF TREES</b>	<b>AV. BD. FT./TREE</b>	<b>EST. BD. FT.</b>
Red, Black Oak	105	166	17,410
White, Bur Oak	11	111	1,220
White Elm	10	103	1,030
Red Elm	7	196	1,370
Basswood	26	143	3,710
Hard Maple	26	111	2,880
Ash	9	138	1,240
Cherry	2	125	250
Hickory	6	105	630
Walnut	3	120	360
Culls	41		
Totals	246		30,100

<b>INFORMATION ITEM</b>
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## **DIRECTOR'S REMARKS**

Richard Leopold introduced himself as the new Governor-appointed Director of the Department of Natural Resources. He is anticipating Senate confirmation soon. Mr. Leopold described his natural resource career with the US Forest Service, the National Park Service, the Dickinson County Conservation Board, and the Minnesota and Iowa DNR. He served as the coordinator for IOWATER, DNR's statewide volunteer water-quality monitoring program before being named the Communications Director and then Executive Director of the Iowa Environmental Council. Leopold told of his practical experience on issues that include water quality, forestry, wildlife management, environmental education, land-use planning, energy policy, sustainable funding and also noted his public policy work with the legislature and advocacy for the causes of DNR.

Mr. Leopold said he expects to see a lot of new proposals in the next few months from the community, the DNR and the legislature. He added that his mantra is planning, planning, planning—that prior planning prevents poor performance and that he looks forward to continue his work for the natural resources.

## **GENERAL DISCUSSION**

Kenneth Herring reported that Notice of Intended Action—Chapter 33, REAP, which was approved by the commission at the December meeting, was not filed with the Rules Review Committee in order to continue talks with county conservation boards and to review the criteria in the rule. Herring related that during the REAP Assemblies, involvement of the local REAP Planning Boards was lacking. He said that now, while discussions about sustainable funding are taking place, this is a good time to revitalize those county committees and include our county conservation board partners in those discussions.

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Kenneth Herring reported that the final dock rules will be before the commission at the February meeting. He reviewed the minor changes made to the rule, which include the Code requirement for every dock or pier on a state-owned lake to have a permit, as well as a little tweaking regarding gaps in offsets between individual docks. Herring said that initially these private dock permits, which were formerly called general permits, will be processed at no cost to the individual, but staff will be working over the next two years to determine administrative costs and to develop an easy straightforward electronic strategy for issuing these permits.

Commissioner Francisco commented that hunters have to pay their way and there should be a nominal fee to cover administration costs that are passed on to private dock owners.

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Kenneth Herring announced that commissioners were sent the Sustainable Funding Report and the Iowa Policy Group Report.

## **NEXT MEETING DATES**

The next meeting will be held February 8 in Des Moines.

## **ADJOURNMENT**

*Motion was made by Commissioner Francisco to adjourn the January 17, 2006 NRC meeting. Seconded by Commissioner Moore. Meeting adjourned at 9:50 a.m..*

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Richard A. Leopold, Director

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Joan Schneider, Chairperson

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Elizabeth Garst, Secretary

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